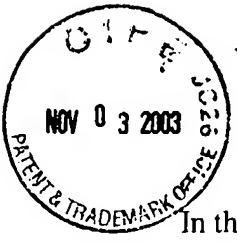


1654



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
(Case No. 01-496-A)

In the Application of:

Damian J. Gallina, et al.

Serial No.: 10/050,655

Filed: January 16, 2002

For: Composition and Methods For Treating
Retroviral Infections

Examiner: Randall O. Winston

Art Unit: 1654

Confirmation No.: 7537

TRANSMITTAL LETTER

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In regard to the above identified application,

1. We are transmitting herewith the attached:
 - a) Response to Restriction Requirement Office Action mailed on October 3, 2003; and
 - b) Return Receipt Postcard.
2. With respect to fees:
 - a) No fee is required.
 - b) Please charge any underpayment or credit any overpayment our Deposit Account, No. 13-2490.
3. CERTIFICATE OF MAILING UNDER 37 CFR § 1.8: The undersigned hereby certifies that this Transmittal Letter and the paper, as described in paragraph 1 hereinabove, are being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on October 31, 2003.

Respectfully submitted,

Raafat M. Shaltout

Raafat M. Shaltout
Registration No. 45,092

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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
(Case No. 01-496-A)

IN THE APPLICATION OF:)
Damian J. Gallina)
Serial 10/050,655) Examiner:
No.) Randall O. Winston
Filed: January 16, 2002) Group Art Unit:
1654
Title: Compositions and Methods) Confirmation No.:
For Treating Retroviral) 7537
Infections)

RESPONSE TO RESTRICTION REQUIREMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

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Dear Sir:

This is a response to the restriction requirement contained in the Office Action mailed October 3, 2003. The Applicant hereby provisionally elects Group V (claims 9-10), with traverse, for examination purposes. Withdrawal of the restriction requirement, with respect to groups I, III, V-VI, and XII (claims 1, 3-5, 9-12, and 24), is respectfully requested.

The Examiner is reminded that, under MPEP Section 803, if the search and examination of the entire application can be made without serious burden, "the Examiner must examine it on the merits, even though it includes claims to distinct or independent inventions."

Applicant's claimed invention relates to compositions and methods for treating and/or preventing HIV infection. Groups I, III, V-VI, and XII are all directed to compositions that include

hyaluronidase or in which a component is treated or otherwise conditioned with hyaluronidase. The groups, therefore, are related to each other through the hyaluronidase enzyme.

In addition, Groups I, III, V-VI, and XII are classified in the same class, i.e., class 424. Further, Groups I, III, V, and XII are classified in the same subclass, i.e., subclass 96.62. Applicant respectfully submits, therefore, that the search and examination of Groups I, III, V-VI, and XII can be made without undue burden on the Examiner.

Accordingly, for at least the reasons given above, the Applicant urges the Examiner to withdraw the restriction with respect to Groups I, III, V-VI, and XII and to go forward with examination of claims 1, 3-5, 9-12, and 24.

Reconsideration of this application is respectfully requested and a favorable determination is earnestly solicited.

Respectfully submitted,

Date: October 31, 2003

By:

Raafat M. Shaltout
Raafat M. Shaltout
Reg. No. 45,092

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Chicago, IL 60606
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